

HOMESTAKE MINING COMPANY

P.O. BOX 98
GRANTS, NEW MEXICO
87020

PN 3-26-88
Humke 4-25-88

April 20, 1988

EXPRESS MAIL: B 65638241

Mr. Myron O. Knudson, Director
Water Management Division (6W)
U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue
Dallas, Texas 75202

RECEIVED

Re: NPDES Permit No. NM 0020389

APR 22 1988

6W-PS

Dear Mr. Knudson:

Homestake Mining Company of California (Homestake) has received your letter of March 25, 1988 containing the Environmental Protection Agency's (EPA) Proposed NPDES Permit (referenced above) for Homestake's Grants, New Mexico Operations. This letter is written in response to the Public Notice request for comments included in your March 25 letter.

In the Fact Sheet for the Homestake discharge, paragraph 6 indicates that EPA consulted "with the state of Texas" in determining that a permit should be issued. It is assumed EPA meant that the state of "New Mexico" was consulted on Homestake's discharge.

In Section D of the Fact Sheet, as well as Section A and Part II of the Proposed Permit, "EPA has determined that there may be pollutants present in the effluent(s) which may have the potential to cause toxic conditions in the receiving stream." As indicated in Homestake's Application for NPDES Permit renewal, Homestake is currently not discharging into the Arroyo del Puerto. The Arroyo del Puerto is a dry arroyo and only runs water under extreme and

Mr. Myron O. Knudson
April 20, 1988
Page 2

very localized precipitation events. The only real occasion the arroyo has any water at all is when Homestake discharges into it. Additionally, when Homestake does discharge into the arroyo, the water is absorbed back into the ground within one-half mile of the discharge. The arroyo supports no aquatic vertebrate life forms and will not reach any stream with aquatic beneficial use classification.

The discharge also comes from facility process that is not "complex". It is well known in terms of chemical parameters and one for which technology - based effluent limitations cover all of the applicable water-quality parameters of concern. There are no significant benefits which can be realized from the imposition of the cost of biomonitoring.

Additional monitoring is not necessary to assure attainment and maintenance of the applicable water-quality standards. To cite a specific provision of the National Policy, on page 9018 of the Federal Register article (March 9, 1984), "Testing Requirements" are introduced with the following statement:

"Requirements for dischargers to collect information to assess attainment or non-attainment of State water-quality standards will be imposed only in selected cases where the potential for non-attainment of water-quality standards exists. Where water-quality problems are suspected... (emphasis added)".

Homestake's discharge has neither caused non-attainment, nor threatened to cause non-attainment. Therefore, if one accepts the National Policy, it does not support biomonitoring of this discharge.

Homestake appreciates the Region's interest in generating biomonitoring data, but believes that any biomonitoring should be directed toward assessing the utility and accuracy of the technique in protecting beneficial uses for aquatic life in situations where adverse affects are justifiably expected.

For the reasons described above, Homestake hereby respectfully requests that EPA delete the biomonitoring requirements contained in the Proposed NPDES Permit.

Mr. Myron O. Knudson
April 20, 1988
Page 3

Homestake appreciates this opportunity for submitting comments on this important matter. If you have any questions or comments concerning the contents of this letter, please don't hesitate to contact me.

Very truly yours,

HOMESTAKE MINING COMPANY



Edward E. Kennedy
Director of Environmental
Affairs

EEK/bgl

xc: T.G. White
P. Bean
J. Mack
D.B. Crouch